

/DO NOT ENTER/

**P A T E N T**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant:	Erik E. EMSTAD et al.	Confirmation No.:	3659
Serial No.:	10/726,329	Examiner:	James L. Swiger III
Filed:	December 1, 2003	Group Art Unit:	3733
Docket No.:	1292.1228101	Customer No.:	28075
Title:	SPINAL ACCESS INSTRUMENT		

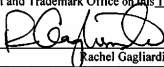
**AMENDMENT IN ACCORDANCE WITH 37 CFR §1.111 RESPONSE**

MAIL STOP: AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**CERTIFICATE FOR ELECTRONIC TRANSMISSION:**

The undersigned hereby certifies that this paper or papers, as described herein, are being electronically transmitted to the U.S. Patent and Trademark Office on this 17th day of September, 2008.

By

  
Rachel Gagliardi

Dear Sir:

This Amendment is being filed in response to the Office Action of the Examiner mailed July 8, 2008, with a shortened statutory period set to expire on October 8, 2008. Please charge any additional fees or credit overpayment to Deposit Account No. 50-0413.

Please amend the above-identified patent application as follows:

**Amendments to the Claims** are reflected in the listing of claims, which begins on page 2 of this paper.

**Remarks/Arguments** begin on page 8 of this paper.

/JAMES L. SWIGER/

10/18/2008